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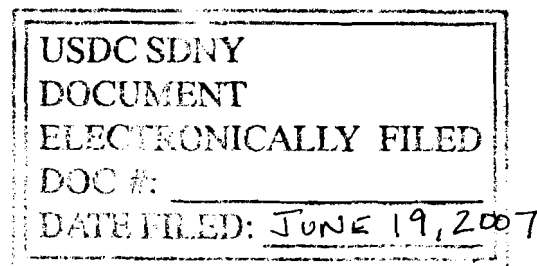
MEMO ENDORSED
PZ

June 19, 2007

VIA HAND DELIVERY

Honorable Richard M. Berman
United States District Judge
Southern District of New York
United States Courthouse
40 Centre Street
Courtroom 706
New York, New York 10007

Re: *Israel Berger & Associates vs. Baker et. al.*
Cast No. 07-CV-5648



Dear Judge Berman:

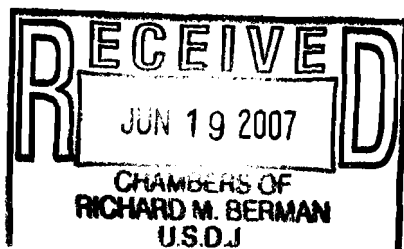
This firm represents the defendants.

I write in response to having received from plaintiff's counsel by fax, at 8:10 a.m. this morning, a copy of a memo endorsed by the Court.

The memo endorsed is a letter from plaintiff's counsel to the Court dated June 15, 2007 which indicates a copy was mailed to me.

I do not know how plaintiff's counsel transmitted the letter to the Court, but this office has not received a copy of the letter in the mail, fax or otherwise. The first time this firm saw the letter of plaintiff's counsel was this morning at 8:10 a.m.

Further, it appears as though Chambers sent the memo endorsed to plaintiff's counsel at 5:53 p.m. yesterday. Plaintiff's counsel did not forward the letter to this office until this morning.





Honorable Richard M. Berman
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By the memo endorsed, we are to file a response by noon tomorrow and appear for a conference on Thursday at 3 p.m. I will be leaving the country tomorrow for a meeting and returning Friday.

In light of the delay in our receiving the letter from plaintiff's counsel and my unavailability, it is respectfully requested that defendants have until Friday at noon to submit their response and that the conference be rescheduled for the early part of next week.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'David B. Newman'.

David B. Newman

DBN/kms

cc: Calvin Kamien, Esq. (Via Facsimile)

Application granted re: filing
by noon on Friday (although the
filing should be no longer than this
letter). Conference adjourned
to 7/2/07 @ 9:15. (FINAL)

SO ORDERED:

Date: 6/19/07

Richard M. Berman

Richard M. Berman, U.S.D.J.